IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
APPEAL FROM ORDER NO.1008 OF 2005
WITH
CIVIL APPLICATION NO.1192 OF 2005

Keshav Ganpat Gaikar ..Appellant.
Vs.
Arjun Ganpat Gaikar & anr. ..
Respondents.

...

Mr. S. J. Ghogare for the Appellant.

CORAM : DR.D.Y.CHANDRACHUD, J.

22nd November, 2005.

P.C. :

The case of the Appellant being that the bakery and restaurant is a part of the estate of his deceased father, the appropriate remedy for the Appellant was to institute a suit for administration of the estate of the deceased. The order of the Learned Trial Judge dismissing the Motion which is simpliciter for an order of injunction was in the circumstances not an error. It would be open to the Appellant to take recourse to the appropriate remedy in law. The Appeal is dismissed.

In view of the disposal of the Appeal from Order, Civil Application has been rendered infructuous and is accordingly disposed of.